

Notice of Allowability

Application No.

09/728,297

Examiner

Kambiz Abdi

Applicant(s)

YEN ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 21 July 2004.
2. ☒ The allowed claim(s) is/are 1-8, 15, 17-21, and 23-28.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 21 July 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

1. Prior office actions are incorporated in this office action by reference. Applicant has filed an Amendment After None Final Rejection on 21 July 2004, which has been entered.

- Claims 9, 12, 13, 16, and 22 have been canceled.
- Claims 23 and 15 are amended.
- New claims 26-28 have been added.
- Claims 1-8, 15, 17-21, and 23-28 have been allowed.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Edouard Garcia on 1 November 2004.

The examiner under agreement by the attorney representing the applicant has amended claims 15, 17, 19 and 27 as well as canceling claims 9 and 16.

The claim in the application has been amended as follow:

Claim 9 (canceled)

Claim 15 (currently amended): A machine-implemented method of generating a payment indicium, comprising:

selecting at least one encoding level based on a payment value specified in [[the]] payment information;

encoding the payment information into a corroborative digital token with the at least one selected encoding level, wherein one or more encoding parameters used to encode the payment information vary with payment value; and

modulating a base image with a graphical encoding of the corroborative digital token to produce the payment indicium; and

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rendering the [[a]] payment indicium containing the encoded payment information.

Claim 16 (canceled)

Claim 17 (currently amended): The method of claim 15 [[16]], wherein an encoding security level parameter varies with payment value.

Claim 19 (currently amended): The method of claim 15 [[16]], wherein an encoding robustness level parameter varies with payment value.

Claim 27 (new): The method of claim 23 [[22]], wherein encoding the segmented image areas comprises converting at least one of the image areas to a respective barcode matrix corresponding to a symbol in the digital token and contained in one of multiple predetermined barcode matrix sets selected based on pixel values in the image region being converted, wherein each barcode matrix set includes a respective barcode matrix for each possible symbol in the digital token, and barcode matrices in different sets encoding a common message symbol have different respective spatial patterns of dots selected from a set of different color dots.

Allowable Subject Matter

3. Claims 1-8, 15, 17-21, and 23-28 are allowed over the prior art of record.

4. The following is an examiner's statement of reason for allowance:

The closest prior arts of record are U.S. Patent No. 6,175,827 to Robed A. Cordery et al., and U.S. Patent No. 6,128,735 to Gary Allan Goldstien. Cordery patent teaches the state of creation of the token and embedding of such token within an idicium for franking on a postage piece. As well as, recovery of such token from the franked indicium. Goldstien teaches the encryption of data based on the degree of their sensitivity of such data and dependency of such higher or lower encryption is not dependent on a monitory value.

5. In regards to claims 1, 8, and 23, the closest prior art of record when taken either individually or in combination with other prior arts of record fails to teach or suggest the step of a "encoding the segmented image areas with sets of two-dimensional code patterns to graphically encode the corroborative digital

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token in the payment indicium, wherein each set of code patterns encodes a respective corresponding group of image areas.”

6. Claims 2-7, and 26 are dependent upon claim 1 and claim 21 is dependent upon claim 8, thus they all have the same limitations of claims 1 and 8, therefore, they are allowable for that same reason stated above.

7. In regards to claim 15, the closest prior art of record when taken either individually or in combination with other prior arts of record fails to teach or suggest the step of a “selecting at least one encoding level based on a payment value specified in payment information; encoding the payment information into a corroborative digital token with the at least one selected encoding level, wherein one or more encoding parameters used to encode the payment information vary with payment value.”

8. Claims 16-20, 24, 25, and 28 are dependent upon claim 15, thus they all have the same limitations of claim 15, therefore, they are allowable for that same reason stated above.

Conclusion

9. Any comments considered necessary by the applicant must be submitted no later than the payment of the issues fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled “Comments on Statement of Reasons for Allowance.”

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

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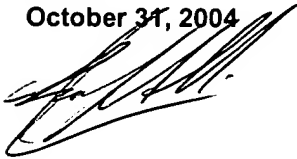

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202

Abdi/K

October 31, 2004

A handwritten signature in black ink, appearing to be 'Abdi/K', written over the typed name and date.A large, stylized handwritten signature in black ink, appearing to be 'James P. Trammell', written over the typed name and title.

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800